



Book	Administrative Regulations
Section	100 Programs
Title	Nondiscrimination in School and Classroom Practice - Gender and Gender Identity
Code	AR103(B)
Status	Administrative Regulation
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A. Authority

The Board declares it the policy of this district to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the schools regardless of race, color, age, creed, religion, sex, sexual orientation, gender or gender identity, ancestry, national origin, marital status, pregnancy or handicap/disability. The Board is committed to creating a safe and inclusive learning environment for all students that is free from discrimination.

The district shall provide to all students, without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The equitable distribution of district resources is one means the district shall use to ensure all students receive a quality education. The district shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations.

Complaints alleging discrimination or harassment are to be taken seriously and handled in a manner consistent with Board policies, laws, and regulations.

B. Purpose

The purpose of this administrative regulation is to provide additional information and direction about gender and gender identity.

C. Definitions

Birth-Assigned Sex: Refers to the sex recorded on a person's original birth certificate at the time of birth.

Gender Identity: Refers to one's internal core sense of gender, which may be different from one's birth-assigned sex, and which is consistently and uniformly asserted, or for which there is other evidence that the gender identity is sincerely held as part of the individual's core identity.

Transgender: An adjective describing an individual whose gender identity diverges from the birth-assigned sex. An individual can express or assert a transgender gender identity in a variety of ways. Being transgender does not imply any specific sexual orientation.

Gender Transition: The processes by which some individuals strive to more closely align their gender identity with outward manifestations. Some people socially transition, whereby they might begin dressing, using names and pronouns and/or be socially recognized based on their gender identity. Others undergo physical transitions in which they modify their bodies through medical interventions. Medical treatments or procedures are not considered a prerequisite for one's recognition as transgender. Treatments such as hormone therapy may be unaffordable, not

medically indicated, or contraindicated for many youth. Surgical treatments are generally not available for school-age transgender youth.

Gender Stereotypes: Refers to stereotypical notions of masculinity and femininity, including expectations of how one expresses or communicates one's gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.

Gender-Expansive: A term referring to aspects of gender expression, identity, and interests that go beyond binary prescriptions of behaviors and interests associated primarily with boys or girls. It conveys a wider more flexible range of gender identity and/or expression than typically associated with the binary gender system.

Student Support Team: A building-level team comprised of appropriate staff, such as the building principal, guidance counselor, nurse, school psychologist, and teacher(s), that works with the student and family to provide a supportive learning environment.

D. Privacy and Confidentiality

All students have a right to privacy and this right includes the right to keep one's transgender status private at school. Information about a student's transgender status, legal name, or birth-assigned sex may also constitute confidential protected health information. Disclosing this information to other students, their parents/guardians, or other third parties may violate privacy laws, such as the Family Educational Rights and Privacy Act (FERPA).

Similar to all students, the District shall ensure that protected health information and education records relating to transgender and gender-expansive students shall be kept confidential in accordance with applicable state and federal privacy laws. Transgender and gender-expansive students have the right to discuss and express his or her gender identity openly and to decide when, with whom, and how much to share private information. The fact that a student chooses to disclose his or her transgender status to District staff or other students does not authorize District staff to re-disclose that information.

To ensure the safety and well-being of the student, District personnel should not disclose a student's transgender status to others, including the student's parents/guardians or other District personnel, unless: (1) legally required to do so, or (2) the student has authorized such disclosure. Relevant school staff, such as the building principal, guidance counselor, and school psychologist, will work actively and immediately to discuss disclosure to parents/guardians given their legal rights and the importance of collaboration between the school staff, student, and parents/guardians. When contacting the parent or guardian of a transgender student, District staff should use the student's legal name and the pronoun corresponding to the student's birth-assigned sex unless the student, parent, or guardian has specified otherwise. (See "Student Transitions" below.)

E. Student Transitions

In most cases, for a transgender student, beginning the process to live openly in a manner consistent with their gender identity is a very private matter.

Since parents/guardians are generally aware of their child's development, notifying a student's parent/guardian about his or her gender identity or transition may be unnecessary. In some cases, however, informing parents/guardians about a student disclosure carries risks for the student, such as physical and/or emotional abuse, abandonment, and/or removal from the home.

Prior to notification of any parent/guardian regarding the transition process, District staff must work closely with the student to assess the degree to which, if any, the parent/guardian will be involved in the process and must consider the health, wellbeing, and safety of the transitioning student. Upon notification by a student, parent/guardian, or representative that a student is undertaking, planning to undergo, or has completed a gender transition, the school will promptly inform the notifying individual and the student of the right to request a Student Support Team, consisting of appropriate school staff (e.g., building principal, guidance counselor, nurse, school psychologist, and teacher(s) as appropriate).

When a student transitions during the school year, the Student Support Team shall hold a meeting with the student and parents/guardians, if they are involved in the process. The Student Support Team should discuss a timeline for the transition in order to create the conditions supporting a safe and accepting environment at the school. The District staff will not require proof of medical treatments as prerequisite for respecting the student's gender identity. If any objective basis should occur that would justify questioning whether a student's asserted gender identity is genuine, information may be requested to show that the gender identity is sincerely held.

F. Student Support Teams

Each school shall form a Student Support Team that will serve as a visible resource for all students who have questions and/or concerns regarding any issues related to gender identity and expression. The Student Support Team shall also be a resource for any questions regarding transgender or gender-expansive students.

G. Names and Pronouns

Every student has the right to be addressed by a name and pronoun that corresponds to the student's gender identity. A court-ordered name or gender change is not required, and the student need not change his or her official records. The building principal or a staff member designee should privately ask transgender or gender-expansive students at the beginning of the school year how they want to be addressed in class, in correspondence to the home, or at conferences with the student's parents/guardians. In compliance with FERPA, the building principal will ensure that the preferred name and pronoun are communicated to staff members with a legitimate educational interest.

H. Student Records

The District is required to maintain a mandatory permanent student record that includes a student's legal name and legal gender. However, to the extent that the District is not legally required to use a student's legal name and gender on other school records or documents, such as school IDs, classroom rosters or the yearbook, the District will use the name and gender preferred by the student. The District will change a student's official record to reflect a change in legal name or gender upon receipt of documentation that such change has been made pursuant to a court order, or through amendment of state or federally issued identification. In situations where District staff are required by law to use or to report a transgender student's legal name or gender, such as for purposes of standardized testing, administration and school staff shall implement practices to avoid the inadvertent disclosure of such confidential information.

I. Dress Code

Individual schools within the District may enforce dress codes pursuant to Board Policy. Individual school dress codes shall not differentiate student dress based on gender or gender identity. Students shall have the right to dress in accordance with their gender identity, within the constraints of the dress code adopted by the school. District staff shall not enforce a school's dress code more strictly against transgender and gender-expansive students than other students.

J. Restrooms

Having safe access to restroom facilities is important to the health and wellbeing of all people. Schools may maintain separate sex-specific restrooms. However, District students shall have access to restroom facilities that correspond to his or her consistently and uniformly asserted gender identity. Any student who has a need or desire for increased privacy, regardless of the reason, may use an alternative restroom (e.g., single-stall bathroom). Restrooms, as the term is used in this AR, do not include toilet structures or any other areas internal to locker rooms.

A transgender or gender-expansive student may request to use a separate non-sex-specific restroom; however, no student shall be required to use an alternative restroom because he or she is transgender. Under no circumstance should any student be required to use sex-specific restrooms that are inconsistent with his or her gender identity.

K. Physical Education Classes and Intramural and Interscholastic Athletics

All students shall be permitted to participate in physical education activities and intramural sport activities in a manner consistent with their gender identity. Regarding interscholastic sports teams, the District will follow the Pennsylvania Interscholastic Athletic Association's (PIAA) rules regarding mixed-gender participation. Under these rules, the PIAA will accept the school principal's decision as to the student's gender. In this situation, the principal will identify the student in accordance with his or her gender identity, unless the student requests otherwise.

L. Other Activities, Rules, Policies, and Practices

As a general rule, in any other circumstance where students are separated by gender, for instance at field trips within the school day, classroom activities, school ceremonies and school photos, each student should be permitted to participate in a manner consistent with his or her gender identity. Single-gender classes and activities may only be offered in certain circumstances and in accordance with District policy, law and regulation.

M. Training and Professional Development

The Superintendent shall ensure that the Lead School Psychologist and Director of Human Resources & Legal Affairs provide training for all Student Support Team members on their responsibilities under applicable laws and Board Policy 103 Nondiscrimination in School and Classroom Practices and this Administrative Regulation. In addition, the Lead School Psychologist and Director of Human Resources & Legal Affairs will also ensure that training is held with relevant teachers, administrators, counselors, social workers, security, and health and physical education staff to provide a supportive learning environment.

The District shall implement ongoing professional development to build the skills of all staff members to prevent, identify, and respond to bullying, harassment and discrimination. The content of such professional development shall

include, but not be limited to, the information outlined in this administrative regulation. Information regarding Board Policy 103 Nondiscrimination in School and Classroom Practices and this Administrative Regulation shall be shared with new school employees.

N. Publication and Media Communications

Board Policy 103 Nondiscrimination in School and Classroom Practices shall be distributed annually and shall be posted on the District's Internet site. The Discipline Code will include reference to Board Policy 103 that includes language related to gender or gender identity. The District and individual schools shall make consistent efforts to ensure awareness of this policy, as well as the availability of the Student Support Team.

Only the Superintendent or Director of Communications shall communicate to representatives of the media regarding matters of student gender identity. District staff shall direct the media to the Director of Communications. In communicating with the news media, parents/guardians and the community, protecting the privacy of transgender and gender-expansive students shall be a top priority for the spokesperson and all staff.

[Policy 103 Initial Complaint Report Form.pdf \(196 KB\)](#)